

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE APPLICATION OF EMERALD
PASTURE DESIGNATED ACTIVITY
COMPANY, EMERALD MOOR
DESIGNATED ACTIVITY COMPANY,
AND TRINITY INVESTMENTS
DESIGNATED ACTIVITY COMPANY
FOR AN ORDER TO TAKE DISCOVERY
FOR USE IN FOREIGN PROCEEDINGS
PURSUANT TO 28 U.S.C. § 1782

Case No. 21-MC 494

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/28/2021

~~[PROPOSED]~~ ORDER AUTHORIZING DISCOVERY

Upon consideration of the Application And Petition For An Order To Conduct Discovery For Use In Foreign Proceedings Pursuant To 28 U.S.C. § 1782 (the “Application”), submitted by Emerald Pasture Designated Activity Company, Emerald Moor Designated Activity Company, Trinity Investments Designated Activity Company (collectively “Petitioners”) and all papers submitted in support thereof, this Court finds that (1) the statutory requirements of 28 U.S.C. § 1782 are satisfied, and (2) the factors identified by the United States Supreme Court in *Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241 (2004), weigh in favor of granting the Application.

It is therefore ORDERED that

- (a) the Application is granted;
- (b) Petitioners are authorized to serve the subpoenas annexed as Exhibit 2 to the declaration of Lucas Bento upon Comexposium US LLC (“Respondent”); and
- (c) Respondent is directed to respond to such subpoenas pursuant to the Federal Rules of Civil Procedure and the Local Civil Rules of this Court.

IT IS FURTHER ORDERED that the foregoing is without prejudice to the rights of Respondent to file a motion to vacate or quash. To the extent Respondent opts to file a motion to vacate or quash, Respondent's motion is due not later than **July 30, 2021**; Petitioners' response in opposition is due not later than **August 27, 2021**; and Respondent may reply in further support of its motion not later than **September 10, 2021**, without prejudice to the parties agreeing to a different briefing schedule.

SO ORDERED.

Date: June 28, 2021


UNITED STATES DISTRICT JUDGE